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IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

FILED

AUG 23 2021

Richard Glossip, et. al.
PLAINTIFFS.

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY NPS, DEPUTY

vs

CASE NO. 14-665-F

Randy Chandler, et. al.
DEFENDANTS.

WADE LAW, PRO SE PLAINTIFF
AS MOUNTAIN

CAPITAL CASE

NOTICE OF APPEAL

PLAINTIFF WADE LAW'S AMENDED RESPONSE TO DOC. NO.
448 - PLAINTIFF'S RESPONSE TO DOC. NO. 444, WITH ITS EX-
HIBIT - A (ALTERNATIVE TO EXECUTION PROTOCOLS) - WITH
NOTICE OF APPEAL

COME NOW PLAINTIFF WADE LAW TO FILE THIS AMENDED

COMPLAINT TO DOC. NO. 448, ALTERNATIVE TO EXECUTION

TO THE UNITED STATES DISTRICT COURT FOR THE WESTERN

WADE GURLEY LAW #56263

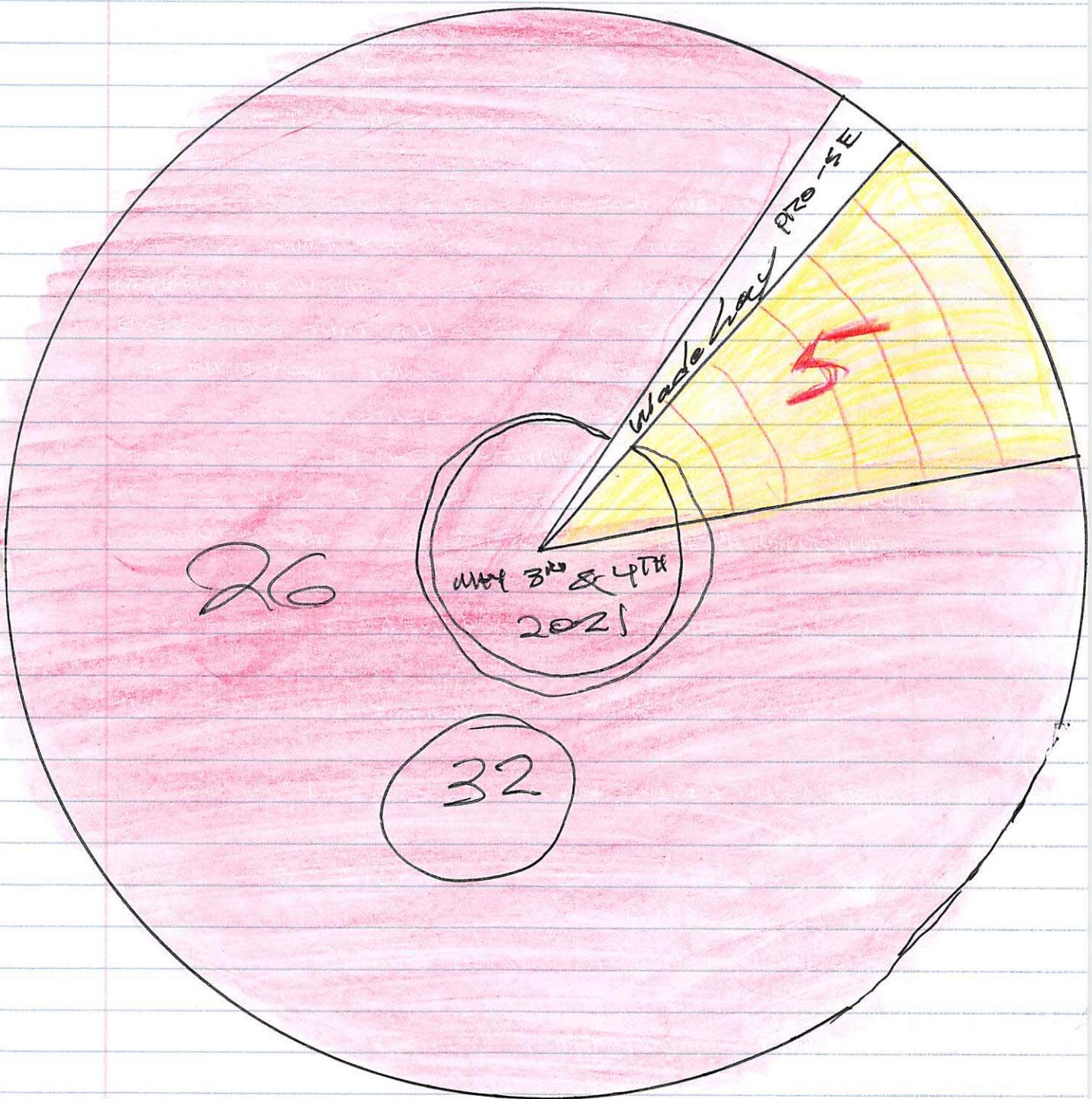
OKLAHOMA STATE PRACTICING

DATE: 08/19/2021

D.O. BOX #7

PRO - SE

MCALISTER OKLAHOMA 74502



DISTRICT OF OKLAHOMA (U.S.D.C. W.D. OK.).

BACKGROUND:

ON 04/23/2021, THE H-UNIT MANAGER (MR. KIRBY) TOLD

UNADE LAY HE WOULD REMOVE OFFICER HOOD FROM THE SOUTH

WEST QUAD AT H-UNIT, DUE TO THE REPEATED ABUSES THAT

OFFICER HOOD CONTINUED TO EXERCISE TOWARDS LAY THE

APPELLANT.

THE REMOVAL OF OFF. HOOD, AND THE PROMISE BY THE H-UNIT

MGR. ON 04/23/2021 PROVED TO BE A ROSE, A PART OF A GREATER

DECEPTION. ON 05/08/2021 O.S.P. PLACED OFF. HOOD ON

THE S.W. QUAD TO FABRICATE A MISCONDUCT CHARGE, A

MEANS TO CUT UNADE LAY OFF FROM HIS FAMILY FOR NINETY

(90) DAYS. (SEE *Hay v. A.C.L.U., Civ-21-605-J*, doc. no. 1).

IN THAT SAME WEEK, i.e., THE WEEK OF MAY, 02-08, 2021,

ATTORNEYS IN THE LETHAL INJECTION CASE *Glossip v. Chandler*,

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HELD MEETINGS ON THE 3RD AND 4TH OF MAY 2021.

ALL THIRTY ONE (31) PRISONERS / PLAINTIFFS ON DEATH ROW

(H-UNIT, A-UNIT, AND BRENDA ANDREW) WERE INFORMED OF

THE MEETING, WHERE THE ATTORNEYS WARNED, EACH ONE

CONCERNING THE UNITED STATES SUPREME COURT'S PRECEDENT

IN *Bucklew v. Precythe*, 139 S. Ct. 1112 (2019). THE

PRISONERS WERE ADEQUATELY WARNED, THAT IF THEY

DID NOT PROVIDE AN ALTERNATIVE METHOD OF EXECUTION,

AS DETERMINED BY THE SUPREME COURT, THEY WOULD WITH

ALL PROBABILITY FACE SUMMARILY JUDGMENT AND SUBSEQUENT

EXECUTION.

IN DOC. NO. 449 (THE W.D. COURT'S ORDER), AND DEC.

NO. 454 (THE W.D. COURT'S JUDGMENT TOWARDS WADE LAY),

U.S. DIST. JUDGE FRLOT STATES:

⁶ C. SUMMARY JUDGMENT STANDARDS

"⁷ UNDER RULE 56, FED. R. CIV. P., SUMMARY JUDGMENT SHALL BE GRANTED IF THE MOVANT SHOWS THAT THERE IS NO GENUINE DISPUTE AS TO ANY MATERIAL FACT AND THE MOVANT IS ENTITLED TO JUDGMENT AS A MATTER OF LAW. CELOTEX CORP. V. CARRITT, 477 U.S. 317, 325 (1986). A GENUINE ISSUE OF MATERIAL FACT EXISTS WHEN "THERE IS SUFFICIENT EVIDENCE FAVORING THE NON-MOVING PARTY FOR A JURY TO RETURN A VERDICT FOR THAT PARTY." ANDERSON V. LIBERTY LOBBY INC., 477 U.S. 242, 249 (1986). IN DETERMINING WHETHER A GENUINE ISSUE OF A MATERIAL FACT EXISTS, THE EVIDENCE IS TO BE TAKEN IN THE LIGHT MOST FAVORABLE TO THE NON-MOVING PARTY. ADICKES V. S.H. KRESS & CO., 348 U.S. 144, 157 (1950). ALL REASONABLE INFERENCES TO BE DRAWN FROM THE UNDISPUTED FACTS ARE TO BE DETERMINED IN A LIGHT MOST FAVORABLE TO THE NON-MOVANT. UNITED STATES V. AGRI-SERVICES, INC., 81 F.3d 1002, 1005 (10TH CIR. 1996). ONCE THE MOVING PARTY HAS MET ITS BURDEN, THE OPPANDING PARTY MUST COME FORWARD WITH SPECIFIC EVIDENCE, NOT MERELY ALLEGATIONS OR DENIALS, DEMONSTRATING THAT THERE IS A GENUINE ISSUE FOR TRIAL. POSEY V. SKYLINE CORP., 102 F.3d 102, 105 (7TH CIR. 1995)."

IT IS CRITICAL AT THIS POINT TO SHOW WHAT U.S. DIST. JUDGE ERICK DOZIER DOES ON JULY 19, 2021, WITH DOC. NO. 444, UNILIT IT'S

EXHIBIT-A (DOC. NO. 444-1). JUDGE FRICK, AS IT PERTAINS TO

WADE LAY ALONE, STATES ON PAGE 1, THE FOLLOWING:

"THE OPERATIVE STATEMENT OF THE CLAIM OF WADE LAY IN THIS ACTION IS THE THIRD AMENDED COMPLAINT, DOC. NO. 325, FILED ON JULY 7, 2020, WHICH EXPRESSLY INCLUDES MR. LAY AS A PLAINTIFF. [THIS STATEMENT IS COMPLETELY FALSE, TO BE EXPLAINED BELOW (infra . . .).] IN PARAGRAPH 114 OF THE THIRD AMENDED COMPLAINT, MR. LAY (ALONG WITH ALL THE OTHER PLAINTIFFS) PLEADS THE EXISTENCE OF METHODS OF EXECUTION, ITS ALTERNATIVES TO EXECUTION PER CHART D OF THE FEBRUARY, 2020 EXECUTION PROTOCOL (500 MILLIGRAMS OF MIDAZOLAM, FOLLOWED BY 100 MILLIGRAMS OF VECURONIUM BROMIDE, FOLLOWED BY 240 MILLEQUIVALENTS OF POTASSIUM CHLORIDE), AS FOLLOWS:

"114. SUBJECT TO THE FOREGOING, SOLELY FOR THE PURPOSE OF THIS PLEADING, BASED ON STATUTORIL AUTHORITY AND CURRENT AND HISTORICAL PRACTICES, AND UPON INFORMATION AND BELIEF, COUNSEL ALLEGES ON BEHALF OF PLAINTIFFS (EACH OF WHOM RESERVES THE RIGHT FOLLOWING CONSULTATION WITH COUNSEL TO OBJECT TO ANY PROFFERED ALTERNATIVE), THE FOLLOWING ALTERNATIVE METHODS OF EXECUTION ARE FEASIBLE, AVAILABLE, READILY IMPLEMENTED AND WOULD SIGNIFICANTLY REDUCE A SUBSTANTIAL RISK OF SEVERE PAIN. DEFENDANTS HAVE REFUSED WITHOUT A PENALOGICAL REASON, TO ADOPT ANY OF THESE ALTERNATIVES."

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U.S. DIST. JUDGE FRICK GOES ON TO ITEMIZE FOUR (4)

METHODS OF EXECUTION AS ITEMS A - D. THE FIRST THREE

ARE CHEMICAL BASED METHODS, THE FOURTH (D) IS, "EXECUTION BY FIRING SQUAD."

THE PLAINTIFF (WADE LAY) BEING COMPLETELY BLIND-

SIDED, TOTALLY UNAWARE OF THE CONTEXT, NOT ABLE

TO COMPREHEND THE METHODS OF (A-C), i.e., THE CHEM-

ICAL BASED METHODS OF EXECUTION, WAS, IN HIS KNOWL-

DANCE AFRAID THE DEFENDANTS AND THE COURT WOULD

ENGINEER AN ENVIRONMENT WHERE WADE LAY COULD

FACE A FIRING SQUAD. BEING CUT-OFF FROM HIS FAMILY,

BEING UNABLE TO CONTACT ANY OTHER SOURCE OF KNOWL-

LEDGE OTHER THAN SARAH JEWELLER AT THE OKC FED-

ERAL PUBLIC DEFENDER (F.P.D.), WADE LAY CALLS MISS

JEWELLER AND SHE ERRONEOUSLY NURTURES THAT FEAR.

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IF THE CIRCUIT COURT WILL VIEW ATTACHMENT NO. 1
OF WADE LAY'S IN RE: FILING FILED AT O.S.P. ON 08/15/21,
TO INFORM THE W.D. COURT OF HIS AMENDED RESPONSE,
FILED AT O.S.P. ON 08/16/21, AND OF SIMILAR ARGUMENTS
AS PROFFERED IN THIS NOTICE OF APPEAL, THE APPEALS
COURT WILL SEE THAT SARA TH SETZKIAN ON JULY 21,
2021, JUST 24 HOURS AFTER LAY RECEIVES DOC. NO.
444, OF HER OWN VOLITION WITHOUT BEING ASKED, SENDS
THE WRITTEN DECLARATION (ATTACHMENT NO. 1, BEING PRE-
SENTED HERE AS EXHIBIT 1249-A) THAT INFLUENCES
LAY WITH ADVICE THAT IS 180° OPPOSITE THAT WHICH
EVERY OTHER PLAINTIFF RECEIVED FROM COUNSEL AT
THE MAY 3RD AND 4TH MEETINGS.
FOR THAT REASON IT IS CRITICAL TO ASCERTAIN THE

ACTUAL STATUS, IN A LEGAL RESPECT, TO THE PRO-SE

PARTY - PLAINTIFF WADE LAY, WITHIN THE DISTRICT

COURT CIRCAITS SCANNED JUDGMENT AGAINST

WADE LAY'S "CLAIMS", AS DECLARED BY THE COURT

IN DOC. NO. 449, AND 454, TO BE "CLAIMS ASSERTED IN

"THIS ACTION", ARE THOSE CLAIMS ABLE TO BE LEGALLY

ATTACHED TO WADE LAY AS A PARTY?

IF THE U.S. COURT, OR ANY OTHER COURT OF THE

UNITED STATES, INTENDS TO ATTACH CLAIMS TO A

PARTY IN A CIVIL ACTION, ESPECIALLY ONE THAT

THE OUTCOME OF THE JUDGMENT WILL RESULT IN THE

PLAINTIFF'S EXECUTION, THE PARTY HELD RESPONSIBLE FOR

SUCH CLAIM(S) MUST BE COCONTRIVELY AWARE OF THE

SUBSTANCE OF SUCH CLAIMS. ADDITIONALLY, THE LIABILITY,

OR IN THIS CASE THE CONSEQUENCES OF SUMMARY

JUDGMENT CAN MAKE LAW AROSTE, ACTION PRO SE,

THE SUBJECT OF FRAUD THAT IS INTRINSIC AND

TANGIBLE, EXERCISED IN THIS CASE BY BOTH

DEFENDANTS AND PLAINTIFF'S COUNSEL, MUST BE

CONSIDERED EVEN WHEN IT MAY BE EMBRACED BY

THE PRESIDENT JUDGE FASHIONING THE ORDER AND

JUDGMENT.

THE W.D. COURT IS IN ESSENCE, IN DOC. NO. 444,

WHICH EXTENDS INTO ITS ORDER (DOC. NO. 449) AND

ITS JUDGMENT (DOC. NO. 454) AGAINST LAY ADVANCES, THE

LEGAL DOCTRINE OF *NON PRO TUNC*, THAT IS, THE

DISTRICT COURT IS ADVANCING THE PROPOSITION THAT UNDIE

LAW BEARS SOME SORT OF JOINDER WITH THE OTHER PLAINTIFFS

dc. 10

AS IT PERTAINS TO THE THIRD AMENDED COMPLAINT.

(SEE DOC. NO. 444, AT DL. 1, PAR. 1) STATING: "THE OPER-

ATIVE STATEMENT OF THE CLAIM OF WADE LAY IN THIS

ACTION IS THE THIRD AMENDED COMPLAINT." YET, AS IT

PERTAINS TO THE BENIFITS OF KNOWLEDGE AND COUNSEL

FROM THE PARTIES WITHIN PROFFERED THE THIRD AMENDED

COMPLAINT, LAY IS DEPRIVED OF SUCH BENIFITS, EVEN

THE DOCUMENT NO. 325, THE THIRD AMENDED COMPLAINT.

IT IS CLEAR THE DISTRICT COURT WANTS TO PLACE

UPON THE RECORD IN DOC. NO. 444, THE PRETENCE

OF A SUPPOSED ACTION, THAT IS NOT IN REALITY SUBSTANTIAL

AS IT APPLIES TO PERFORMANCE OF THE ACTION. NO OTHER

WORDS, IF LAY IS TO BE HELD SUBJECT TO THE DISTRICT

COURT'S COMPLIANCE OF DOC. NO. 444, I.E., TO PROVIDE

AN ALTERNATIVE METHOD OF EXECUTION, THAT THE
CLAIM OF THE OTHER PLAINTIFFS IS OPERATIVE TO
WADE LAY, THE COURT IS OBLIGATED TO ENSURE
WADE LAY RECEIVES THE KNOWLEDGE AND COUNSEL
OF THOSE PUTTING FORTH SUCH A CLAIM. IT IS
DECEITFUL TO DECLARE ON THE RECORD A SUPERFICIAL
ACTION AS IT IS IN ITS PURPOSE VOID OF SUBSTANCE; THE
CLAIM CANNOT BE OPERATIVE TO WADE LAY ASSENT
THE KNOWLEDGE THAT WAS PROVIDED TO ALL THE OTHER
PLAINTIFFS ON THE 3RD AND 4TH OF MAY, 2021 AT O.S.T.
IN REALITY, IF THE CIRCUIT COURT WILL VETO THE PLEAD-
INGS OF THIS ACTION FILED BY WADE LAY, THE DISTRICT
REFUSING TO ALLOW WADE LAY THE ABILITY TO RESPOND
TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT,
THE JUDGMENT LDOCS. NO. 449 AND 454 SHOULD BE VACATED

PLW

AND AN EVIDENTIARY HEARING ORDERED TO ASCERTAIN

THE FACTS PURSUANT TO THE STANDARD OF SUMMARY

JUDGMENT. (SEE SUPRRT AT 4, WITH A VIEW OF DOC. NO. 390,

i.e., WEADE Lay's MOTION FOR SUMMARY JUDGMENT RESPONSE

PURSUANT TO FED. R. CIV. P. 56(d)). "AS A MATTER OF LAW",

UNDER Celotex Corp. v. Catrett, 447 U.S. 317, 325 (1986),

THE DEFENDANTS, AS IT APPLIES TO JUDGMENT AGAINST WEADE

LAW (DOC. NO. 454), ARE NOT ENTITLED TO JUDGMENT.

ADDITIONALLY, THERE IS SUBSTANTIAL EVIDENCE FAIL-

ING THE NON-MOVING PARTY (WEADE LAW), "A GENUINE

ISSUE OF MATERIAL FACT", THAT A COCONSPIRED EFFORT

IS EXHIBITED AS CLAIMED BY WEADE LAW, THAT BUREAUTICAL

OFFICERS HAVE COMBINED THEIR EFFORTS TO CONCEAL THE

KNOWLEDGE OF THE CASE CONTRARY TO LAW, SUCH AS

THE MEETINGS TAKING PLACE ON MAY 3RD AND 4TH, 2021,

WHERE EVERY OTHER PLAINTIFF WAS INFORMED OF THE

FACTS SURROUNDING THE W.D. COURT'S DEMANDS.

THIS INFORMATION, EVEN THE THIRD AMENDED COMPLAINT

THE DISTRICT COURT ATTACHES LAW TO FOR THE PURPOSE

OF DEC. 800, 444, WITH ITS COMPULSORY DEMAND TO

PROVIDE AN ALTERNATIVE METHOD OF EXECUTIONS, LAW

DID NOT HAVE IN HIS POSSESSION. NOT ONLY WAS

MADE LAW TOTALLY IN THE DARK CONCERNING

THE FACTS, THE F.P.D. MISSTERNED KNOWLEDGE

DECIDES MADE LAW WITH ADVICE THAT IS 180° OPPOSITE

THAT ADVICE GIVEN TO EVERY OTHER PLAINTIFF.

IT IS OBVIOUS, THAT MADE LAW WAS CUT OFF FROM

HIS FAMILY ON 05/08/2021 BY O.S.D. WITH

A FABRICATED CHARGE (SEE LAY V. A.C.H.U.,

CW-21-605-J, DOC. NO. 1, WHERE OFFICER HOOD GIVES

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CONTRADICTORY TESTIMONIALS, AND LAY IS DEPRIVED
OF DUE PROCESS. IF LAY WOULD NOT HAVE BEEN
RESTRICTED IN HIS PHONE ACCESS ON JULY
20TH 2021, WHEN O.S.P. DELIVERS THE COMPULSORY
DOCUMENT NO. 444, WITH ITS EXHIBIT-A, WADE
LAY WOULD HAVE BEEN ASKE TO - FROM RHONDA
KEMP, HIS SISTER, ACQUITTE THE TRUE COUNSEL
FROM ATTORNEYS MISS KEMP HAD CONTACT WITH
ON A REGULAR BASIS.

Lay v. A.C.H.D., IS ALSO PENDING ON APPEAL IN
THIS COURT, FILED ON 08/16/2021, SEE EXHIBIT
1249-B. IF WADE LAY WOULD NOT HAVE BEEN CUT
OFF FROM HIS FAMILY BY THE DEFENDANTS, LAY
COULD HAVE HAD PROPER COUNSEL. ADDITIONALLY,
IT IS CRITICAL TO RECOGNIZE, IT IS THE DEFENDANTS

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IN HOW DEPRIVE LAY OF DUE PROCESS AND ACCESS

TO COURTS, LIMITING HIS CALLS TO A SINGLE SOURCE,

THE VERY SOURCE PROVIDING WADE LAY WITH

OPPOSITE ADVICE FROM EVERY OTHER, (31) OTHER

PLAINTIFFS. THIS IS NOT AN INADVERTENCE OR

ACCIDENTALLY, IT IS A CONSPIRED EFFORT TO DECEIVE

WADE LAY TO CAUSE HIS EXECUTION!

WADE LAY BEGS THIS CIRCUIT COURT TO STAY

THE EXECUTION, VACATE THE JUDGMENT

DOC. NO. 454, AND ORDER AN EVIDENTIARY HEARING!

RESPECTFULLY SUBMITTED

WADE LAY A. P.S.F.

P.O. BOX 97

MANCHESTER, NH. 03102